

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-02/09
Date: 31 August 2009

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN DARFUR, SUDAN

IN THE CASE OF THE PROSECUTOR V. BAHAR IDRIS ABU GARDA

Public Document

Decision on the "Prosecution's request for authorization of discrete redactions to the meta-data fields foreseen by the E-court Protocol"

Document to be notified, in accordance with regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Mr Luis Moreno-Ocampo

Mr Essa Faal

Legal Representatives of Victims

Counsel for the Defence

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

I, Judge Cuno Tarfusser, Single Judge responsible for carrying out the functions of Pre-Trial Chamber I in relation to the proceedings of the situation in Darfur, Sudan and any related cases emanating therefrom, including the case of *The Prosecutor v. Bahar Idriss Abu Garda* (the "Case"), at the International Criminal Court¹;

NOTING the "First Decision on the Prosecution's Requests for Redactions" (the "First Decision on Redactions") issued by the Single Judge on 14 August 2009, whereby, *inter alia*, redactions of the names and signatures of OTP staff were granted;

NOTING the "Prosecution's request for authorization of discrete redactions to the meta-data fields foreseen by the E-court Protocol", filed on 28 August 2009, whereby the Prosecutor, pursuant to rule 81(2) of the Rules of Procedure and Evidence and articles 54(3)(f) and 64 of the Statute of the Court, requested the Single Judge the authorisation to apply discrete redactions to the names of OTP investigators appearing in the chain of custody meta-data field of disclosed evidence as foreseen by the E-court protocol;

CONSIDERING that the authorisations to redact the names of some OTP investigators have already been granted by the Single Judge in the First Decision on Redactions and, therefore, that such authorisations extend to the redactions of the same names in the meta-data fields foreseen by the E-Court Protocol;

CONSIDERING that, as regards the names OTP investigators for which no authorisation had been sought by the Prosecutor before the issuance of the First

¹ ICC-02/05-210.

Decision on Redactions, the same legal and factual considerations contained in paragraphs 12-15 of the First Decision on Redactions apply.

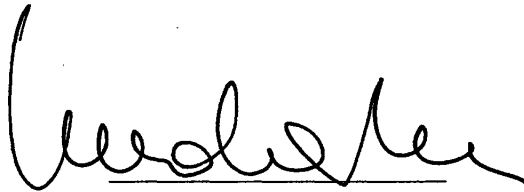
FOR THESE REASONS

DECIDE to authorize the redactions of the names of OTP investigators, identified in the Prosecutor's request, appearing in the chain of custody meta-data field contained in the approved E-court protocol.

Done in both English and French, the English version being authoritative.

Dated this Monday, 31 August 2009

At The Hague, The Netherlands

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', written over a horizontal line.

Judge Cuno Tarfusser
Single Judge